

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
JOSEPH CUSIMANO, as Administrator of	:	
the Estate of CLARA CUSIMANO,	:	
	:	
Plaintiff,	:	
	:	22cv6453 (DLC)
-v-	:	
	:	<u>ORDER</u>
EASTCHESTER REHABILITATION AND HEALTH	:	
CENTER,	:	
	:	
Defendant.	:	
	:	
-----	X	

DENISE COTE, District Judge:


On August 2, 2022, the plaintiff filed a motion to remand the case to the Supreme Court of the State of New York, Bronx County. On August 3, the defendant filed a letter motion requesting a stay of proceedings pending the Second Circuit's resolution of two cases involving similar subject matter. Accordingly, it is hereby

ORDERED that briefing on the motion to remand is stayed.

IT IS FURTHER ORDERED that the defendant shall submit a brief no longer than five pages by **August 8, 2022** addressing whether this action should be stayed pending the resolution of Rivera-Zayas v. Our Lady of Consolation, No. 21-2164 and Leroy v. Hume, Nos. 21-2158, 21-2159 before the U.S. Court of Appeals

for the Second Circuit. A response no longer than five pages may be submitted by **August 15, 2022**.

Dated: New York, New York  
August 4, 2022

  
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DENISE COTE  
United States District Judge